



# राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, सोमवार, 25 सितम्बर, 1989/3 अश्विन, 1911

हिमाचल प्रदेश सरकार

परिवहन विभाग

अधिसूचना

शिमला-2, 7 सितम्बर, 1989

संख्या 9-23/88 टी०पी० टी० सचिवालय.—प्रत्येक राज्य क्षेत्र में मंजिली गाड़ी सेवाएं चलाने के लिए मोटरयान अधिनियम, 1988 की धारा 88 की उप-धारा (5) के अर्धीन हिमाचल राज्य और राजस्थान राज्य के मध्य करार करने का प्रस्ताव है।

अतः हिमाचल प्रदेश के राज्यपाल, मोटरयान अधिनियम, 1988 की धारा 88 की उप-धारा (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त दोनों राज्यों के मध्य संलग्न प्रस्तावित पारस्परिक करार के प्रारूप को, इससे सम्भाव्य प्रभावित होने वाले व्यक्तियों के लिए प्रकाशित करते हैं।

एतद्वारा सूचना दी जाती है कि प्रस्तावित प्रारूप कगार पर, इसके प्रति प्राप्त किसी अप्रत्यावेदन/सुझाव सहित हिमाचल प्रदेश परिवहन विभाग के सचिव द्वारा, इस अधिसूचना के राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से 30 दिन की अवधि पर या उसकी समाप्ति के पश्चात् विचार किया जायेगा।

ओ० पी० यादव,  
आयुक्त एवं सचिव।

[ Authoritative English Text of this Government notification No. 7-23/88-Tpt (Sectt ), dated 7-9-89 as required under clause (3) of Article 348 of the Constitution of India ]

## TRANSPORT DEPARTMENT

### NOTIFICATION

Shimla-2, the 7th September, 1989

No. 9 11-88-Tpt (Sectt ). Whereas it is proposed to enter into reciprocal agreement between the State of Himachal Pradesh and Rajasthan under sub-section (5) of the section 88 of the Motor Vehicles Act, 1988 for plying stage carriage services into the territory of each State.

Now, therefore, in exercise of the powers conferred by sub-section (5) of the section 88 of the Motor Vehicles Act, 1988, the Governor, Himachal Pradesh hereby publishes the draft reciprocal agreement proposed to be arrived at between the aforesaid States annexed for the information of the persons likely to be affected thereby.

Notice is hereby given that the proposed draft agreement alongwith any representation/suggestion received in connection therewith, shall be taken into consideration by the Secretary to the Government of Himachal Pradesh, Transport Department, Shimla-171002, after the expiry of the period of 30 days from the publication of this notification in the Official Gazette.

O. P. YADAV,  
Commissioner-cum-Secretary.

### Draft reciprocal agreement for stage/public carriers between the States of Himachal Pradesh and Rajasthan

THIS AGREEMENT IS MADE THIS                      DAY OF                      1989 BETWEEN THE GOVERNOR OF HIMACHAL PRADESH (HERE-IN-AFTER REFERRED TO "AS THE GOVERNMENT OF HIMACHAL PRADESH, WHICH EXPRESSION SHALL INCLUDE HIS SUCCESSORS IN OFFICE ON THE ONE PART AND THE GOVERNOR OF RAJASTHAN (HERE-IN-AFTER CALLED" THE RAJASTHAN GOVERNMENT" WHICH EXPRESSION SHALL INCLUDE HIS SUCCESSORS IN OFFICE) OF THE SECOND PART.

WHEREAS, in view of the rapid economic development of the country and with a view to encouraging movement of transport vehicles on Inter-State routes between the States of Rajasthan and Himachal Pradesh, and to regulate and control their operation, it is necessary to enter into a reciprocal agreement between the two States;

AND WHEREAS, the parties hereto desire that an agreement on the terms and conditions set out here-in-after may be executed between them.

NOW THIS DEED WITNESSES AND THE PARTIES hereto hereby agree as follows :—

#### 1. Stage Carriages:

- (a) Inter-State routes for Stage Carriages shall mean the routes connecting the main nearest traffic points on either side of the border, penetration by passenger transport of either State being restricted upto the aforesaid traffic points unless otherwise mutually agreed to in any particular case or cases.
- (b) As far as possible only State Transport Undertakings of the reciprocating States will be granted permits for plying services on Inter-State routes.
- (c) The maximum fares and freight chargeable will be as may be prescribed by the competent authority of each State for its own territory or as may be charged by the Nationalised Transport Undertaking in their territory.

- (d) Every Inter-State Service shall be deemed as "Express Service" irrespective of the distance between any of the two stoppage points. If however the fare is charged for Semi-deluxe and Deluxe the tax due to the concerned State shall be paid accordingly.
- (e) Any extension modification or variation of any Inter-State routes in respect of portion lying in the other State shall be permitted after joint approval by the Transport Authority of both the States and the routes so extended or varied shall form part of this agreement.
- (f) Stage Carriage of either State operating in the other State by virtue of this agreement will be exempted from the payment of Road Tax but the Special Road Tax shall be payable in Rajasthan and Passenger Tax as per rules shall be payable in Himachal Pradesh.
- (g) A list of Inter-State routes and their agreed allocation of permits between the States of Rajasthan and Himachal Pradesh is appended as schedule to this agreement.

## 2. Public Carriers (Substantive Permits) :

It is agreed that permits for 50 public goods vehicles shall be countersigned by the Transport Authority of either State on the recommendation of the State Transport Authority Regional Transport Authority of the reciprocating State. The counter-signatures so granted shall be subject to the following conditions, namely :—

- (a) that public carriers operating under such counter-signatures shall be subject to such of the conditions specified in Section 56 of the Motor Vehicles Act, 1939 and under Motor Vehicles Rules in force in that State as the concerned Transport Authority may deem fit to impose;
- (b) that public carriers operating under counter-signatures by virtue of this Agreement shall be exempted from the payment of Motor Vehicles Tax in the other State. They would however be liable to pay Goods Tax/Special Road Tax to the reciprocating States;
- (c) that the vehicles covered by the counter-signatures shall not be used for picking up and dropping down the same goods at any two points lying within the jurisdiction of the reciprocating State.

## 3. General :

- (a) The reciprocating States shall accord recognition to tax tokens, conductors licence, driving licence to drive public service vehicle authorisations in respect of the vehicles operating on Inter-State routes in accordance with this agreement.
- (b) The number and routes of Inter-State permits agreed to in respect of Stage Carriage in accordance with this agreement will be open to revision every year or earlier at the instance of Transport Authority of either states.
- (c) Whenever either State suspends or cancels a permit or counter-signature of any Inter-State operation intimation will be sent to the other State concerned to enable it to consider taking similar action for the cancellation or suspension of the permit or for such other action as it deems fit.
- (d) This agreement shall be valid till such time as new agreement between two States is arrived at or it is rescinded by mutual consent after issue of a three months notice on either side.

Sd/-  
(K. K. SAXENA)  
Transport Commissioner  
and Secretary Transport,  
Rajasthan Jaipur.

Sd/-  
(AJAY MITTAL)  
Transport Commissioner,  
Himachal Pradesh,  
Shimla.

## STATEMENT FOR AGREEMENT BETWEEN THE STATE OF RAJASTHAN AND HIMACHAL PRADESH

Sl. No.	Name of the route	Route length in Rajasthan	Route length in Himachal Pradesh	Route length in Punjab	Route length in Haryana	Route length in Delhi	Total length
1	2	3	4	5	6	7	8
1.	Nurpur to Gharsana Mandi via Ganga Nagar	160 km.	60 km.	332 km.	—	—	552 km.
2.	Jaipur to Simla via Kotputli, Delhi, Ambala, Pachkula, Pinjoor	164 km.	98 km.	18 km.	250 km.	55 km.	585 km.

Number of single trips by		Service km. by Rajasthan in Himachal Pradesh	Service km. by Himachal Pradesh in Rajasthan	Number of permits for Rajasthan	Number of permit for Himachal Pradesh
Rajasthan	Himachal Pradesh				
9	10	11	12	13	14
—	1	—	160	1	—
1	—	98	—	—	1

Parties of km. for Punjab, Haryana, Delhi will be adjusted when agreement is revised with these States.

Sd/-  
(K. K. SAXENA)  
Transport Commissioner  
and Secretary Transport,  
Rajasthan Jaipur.

Sd/-  
(AJAY MITTAL)  
Transport Commissioner,  
Himachal Pradesh,  
Shimla.